

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1159-01
Bill No.: HB 275
Subject: Aircraft and Airports, General Assembly, Transportation, Transportation Dept.
Type: Original
Date: February 28, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund*	\$0	\$0	\$0

*Income and Costs of \$60,000 to \$70,000 per year would have a net zero fiscal impact.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Department of Revenue, Office of Administration–Division of Design & Construction** and **Department of Public Safety** assume this proposal would not have any fiscal impact on their agencies.

The **Office of the Secretary of State (SOS)** assumes this proposal requires the Department of Transportation to promulgate rules to create the Missouri Airport Protection Act. The Transportation Commission will issue permits as they pertain to standards for determining obstructions and navigable airspace. Based on experience with other divisions, the rules, regulations and forms issued previously by the Department of Transportation; the promulgation of these rules could require as many as 25 pages in the Code of State Regulations and 38 pages in the Missouri Register. The estimated cost of a page in the Missouri Register is \$23.00 and the estimated cost of a page in the Code of State Regulations is \$27.00. The total costs would be \$1,549 (\$675 + \$874). The actual cost could be more or less than the numbers provided. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules files, amended, rescinded and/or withdrawn.

ASSUMPTION (continued)

Oversight assumes the **SOS** could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the **SOS** could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials with the **Department of Transportation (MoDOT)** assume this proposal could have fiscal impact on their agency. This proposal could require the Missouri Highway and Transportation Commission (MHTC) to issue permits in order to erect structures which might impede airplane safety. MoDOT assumes that section 305.714.1 could provide potential income for administrative fees, however an estimate can not be provided without the MHTC's approval on the fee amount. With information from MoDOT, **Oversight** estimates that the number of permits issued annually would be near 100. **Oversight** further assumes that the provisions to collect a fee for these permits could offset the cost of implementing the proposal.

Officials with MoDOT assume this proposal could require their agency to have an additional Airspace Coordinator. It is assumed the duties of this Airspace Coordinator could include receive, process and evaluate tall structure permits; conduct airspace studies to determine possible impacts from tall structure; work with local governmental agencies and tall structure applicants to minimize aviation impacts and establish an educational program for public use airport owners about airport protection and compatible land uses.

FY 04 (10 months) Income and Cost

Fee for Application or Permit	Unknown*
Personal Services (1 FTE)	(\$36,675)
Fringe Benefits (47.91%)	(\$17,571)
Equipment (one time) and Expenses	<u>(\$8,871)</u>
Total	\$0

*The amount collected for fees could be expected to cover cost.

FY 05 (2.5% growth)

Fee for Application or Permit	Unknown*
Personal Services (1 FTE)	(\$44,009)
Fringe Benefits (47.91%)	(\$18,444)
Equipment and Expenses	<u>(\$750)</u>
Total	\$0

*The amount collected for fees could be expected to cover cost.

ASSUMPTION (continued)

FY 06 (2.5% growth)

Fee for Application or Permit	Unknown*
Personal Services (1 FTE)	(\$45,119)
Fringe Benefits (47.91%)	(\$21,617)
Equipment and Expenses	<u>(\$769)</u>
Total	\$0

*The amount collected for fees could be expected to cover cost.

MoDOT assumes that all expenditures for this legislation would have to be paid from General Revenue or special funding only.

This proposal could increase state revenue through application or permit fees assessed by the MHTC.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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GENERAL REVENUE

Income-Department of Transportation

Fees for application or permit	<u>Unknown*</u>	<u>Unknown*</u>	<u>Unknown*</u>
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Cost - Department of Transportation

Personal Service	(\$36,675)	(\$44,009)	(\$45,119)
Fringe Benefits	(\$17,571)	(\$18,444)	(\$21,617)
Expense and Equipment	<u>(\$8,871)</u>	<u>(\$750)</u>	<u>(\$769)</u>
<u>Total Cost- MoDOT</u>	<u>(\$63,117)</u>	<u>(\$63,203)</u>	<u>(\$67,505)</u>

ESTIMATED NET EFFECT ON

GENERAL REVENUE	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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*Unknown income could be expected to equal cost.

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

Small businesses which require the installation of tall structures (cell phone towers, radio towers etc.) could be required to apply to the MHTC for a permit before erecting anything close to an airport.

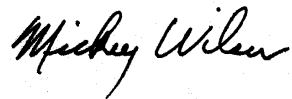
DESCRIPTION

This proposal could require the MHTC to issue permits in order to erect structures which might impede airplane safety.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Revenue
Department of Transportation
Secretary of State
Office of Administration
Department of Public Safety



Mickey Wilson, CPA
Director
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